

# SENATE RECORD VOTE ANALYSIS

104th Congress  
2nd Session

Vote No. 229

July 23, 1996, 4:34 pm  
Page S-8507 Temp. Record

## WELFARE REFORM RECONCILIATION/Family Cap

**SUBJECT:** Personal Responsibility and Work Opportunity Act of 1996 . . . S. 1956. Domenici motion to waive the Budget Act for the consideration of section 408(A)(2).

### ACTION: MOTION REJECTED, 42-57

**SYNOPSIS:** As reported, S. 1956, the Personal Responsibility and Work Opportunity Act of 1996, will enact major welfare reforms. The Aid to Families with Dependent Children (AFDC) program will be replaced with a new Temporary Assistance for Needy Families (TANF) block grant to the States. The TANF block grant will be capped through 2001. Time limits will be placed on individuals receiving TANF benefits. Overall, the growth in non-Medicaid welfare spending will be slowed to 4.3 percent annually. The bill originally included major Medicaid reforms, but most of those provisions were stricken when the bill was reported. Without those Medicaid reforms, welfare spending will still be reduced by \$61.4 billion over 6 years.

**Section 408(a)(2)** will bar a State from using TANF Federal funds to provide additional cash benefits to families for children that are born while they are on welfare unless it passes a law specifically allowing such additional cash benefits to be given. For related debate, see 104th Congress, 1st session, vote No. 416.

Senator Exon raised the point of order that section 408(a)(2) violates section 313(b)(1)(A) the Budget Act because it has no budgetary impact. Senator Domenici then moved to waive the Budget Act for the consideration of that section. Generally, those favoring the motion to waive favored that section; those opposing the motion to waive opposed that section.

NOTE: A three-fifths majority (60) vote of the Senate is required to waive the Budget Act. Following the vote, the point of order was upheld and the section was stricken.

**Those favoring** the motion to waive contended:

We find it a rather interesting claim to say that the Byrd rule applies to this section because denying additional cash benefits to women who have more children while on welfare will not save money. However, no one is voting on that particular issue. The

(See other side)

YEAS (42)			NAYS (57)			NOT VOTING (1)	
Republicans (41 or 79%)	Democrats (1 or 2%)		Republicans (11 or 21%)	Democrats (46 or 98%)		Republicans (1)	Democrats (0)
Abraham	Hutchison	Lieberman	Campbell	Akaka	Inouye	Kassebaum- <sup>4</sup>	
Ashcroft	Inhofe		Chafee	Baucus	Johnston		
Bennett	Kempthorne		Cohen	Biden	Kennedy		
Bond	Kyl		DeWine	Bingaman	Kerrey		
Brown	Lott		Domenici	Boxer	Kerry		
Burns	Mack		Hatch	Bradley	Kohl		
Coats	McCain		Hatfield	Breaux	Lautenberg		
Cochran	McConnell		Jeffords	Bryan	Leahy		
Coverdell	Murkowski		Lugar	Bumpers	Levin		
Craig	Nickles		Snowe	Byrd	Mikulski		
D'Amato	Pressler		Specter	Conrad	Moseley-Braun		
Faircloth	Roth			Daschle	Moynihan		
Frahm	Santorum			Dodd	Murray		
Frist	Shelby			Dorgan	Nunn		
Gorton	Simpson			Exon	Pell		
Gramm	Smith			Feingold	Pryor		
Grams	Stevens			Feinstein	Reid		
Grassley	Thomas			Ford	Robb		
Gregg	Thompson			Glenn	Rockefeller		
Helms	Thurmond			Graham	Sarbanes		
	Warner			Harkin	Simon		
				Heflin	Wellstone		
				Hollings	Wyden		
						<b>EXPLANATION OF ABSENCE:</b>	
						1—Official Business	
						2—Necessarily Absent	
						3—Illness	
						4—Other	
						<b>SYMBOLS:</b>	
						AY—Announced Yea	
						AN—Announced Nay	
						PY—Paired Yea	
						PN—Paired Nay	

question before the Senate is not even whether or not there should be a family cap. We personally believe that there should be a flat prohibition on giving additional Federal funds to families that have babies while they are already on welfare. We just should not give people more and more money in return for their having more and more children while on welfare. There are other people who believe that we should not have a family cap and that the current incentives built into the system should continue. The Senate has debated the merit of a family cap extensively, and the result of that debate is the compromise language that is in this bill. The question before the Senate is not whether this compromise will save or lose money, or whether or not a family cap should be enacted; the question is only whether Senators are going to stick by the compromise that has been reached. We urge our colleagues not to reopen this argument. We urge them to waive the Budget Act.

**Those opposing** the motion to waive contended:

The so-called "compromise" language that is in this bill does not reflect the consensus opinion on the issue of a family cap. As our colleagues have said, this issue has been extensively debated. Many people are convinced that imposing a family cap will increase poverty, hunger, and illness among poor children, and will also encourage abortions. Others are convinced that the current system encourages women to have more babies while on welfare in order to get larger welfare checks. The compromise language that has broad support, including from the National Governors' Association (which has a mostly Republican membership) is to adopt an "opt-in" family cap. In other words, States will be allowed to enact family caps if they wish. In contrast, the bill language will require them to have family caps unless they enact laws that specifically forbid them. As our colleagues have said, the debate today is not about the merits of the issue, but about what the fair compromise language is. This bill does not contain that fair compromise language. Therefore, the Budget Act should not be waived.